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DATE: September 7, 2005

TO: Naresh Vig
Examiner
United States Patent and Trademark Office

FROM: Jeff D. Myers

FAX #: (571) 273-8300

FAX #: (480) 990-0782

RE: Application No. 09/662,968

Comments:

Number of Pages Sent (Including This Page) 8

jeffmyersfax.spd

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,968	09/15/2000	Tyson Winarski, Esq.	110/103	3019

7590

08/03/2005

JEFF D. MYERS
5309 N. 34TH ST,
PHOENIX, AZ 85018

EXAMINER

VIG, NARESH

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notice of Abandonment	Application No.	Applicant(s)	
	09/662,968	WINARSKI, ESQ. ET AL.	
	Examiner	Art Unit	
	Narest Vig	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 30 December 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



Naresh Vig
Examiner
Art Unit: 3629

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20050728

Applicant Winarski, Tyson et al
 Serial No. 09/662,968 6109P2814
 Filed 9/15/2000
 Title/Mark An Internet Based System..

DT07 Rec'd PCT/PTO 19 MAY 2004

The Following has been received in the U.S.
 Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> Specification & Claims	<input type="checkbox"/> Trademark Appl. & Specimens
<input type="checkbox"/> Oath or Declaration	<input type="checkbox"/> Servicemark Appl. & Spec.
<input type="checkbox"/> Petition	<input type="checkbox"/> Declaration -- Small Entity
<input checked="" type="checkbox"/> Power of Attorney	<input type="checkbox"/> Amendment Letter
<input type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Certified Copy
<input type="checkbox"/> Priority Document	<input type="checkbox"/> Extension of Time
<input type="checkbox"/> Assignment	<input type="checkbox"/> Base Issue Fee Transmittal
<input type="checkbox"/> Drawings (Sheets)	<input type="checkbox"/> Design Patent Application
<input type="checkbox"/> Disclosure Statement	<input checked="" type="checkbox"/> <u>Revocation Charge</u>
<input type="checkbox"/> Check No. for \$	<input type="checkbox"/> <u>of Correspondence..</u>

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JUN 07 2004

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/662,968	
	Filing Date	September 15, 2000	
	First Named Inventor	Winarski, Tyson et al.	
	Art Unit	3629	
	Examiner Name	Naresh, Vig	
Total Number of Pages in This Submission	3	Attorney Docket Number	6109P2814

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	WEISS, MOY & HARRIS, P.C.
Signature	Jeffrey D. Moy
Date	May 19, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Shirley Brown
Signature	Date 05-19-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 07 2005

PTO/SB/81 (09-03)

Approved for use through 11/30/2005. OMB 0651-0036
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	09/662,968
Filing Date	September 15, 2000
First Named Inventor	Winarski, Tyson et al.
Title	AN INTERNET BASED SYSTEM...
Art Unit	3629
Examiner Name	Naresh, Vig
Attorney Docket Number	6109P2814

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23504

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or
Individual Name

Address

Address

City

Country

Telephone

State

Zip

Fax

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name	Jeffrey Myers
Signature	<i>[Signature]</i>
Date	9/7/05
Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 02 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Phoenix, AZ 85018
Phone (602) 667-9753

September 7, 2005

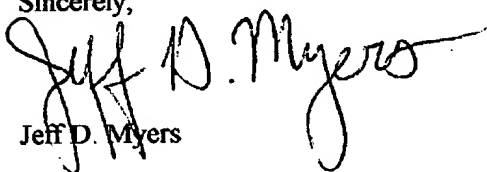
Naresh Vig
Examiner
United States Patent and Trademark Office
SENT VIA FAX TO: (571) 273-8300

Re: Application No. 09/662,968

Dear Mr. Vig:

I still need the patent dates reset on this matter because all of the correspondence has been sent to the wrong address even though we properly notified the patent office long ago, see attached correspondence.

Sincerely,



Jeff D. Myers

JDM/dkc

Enclosures

uspto2.wpd

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SEP 07 2005

Jeff D. Myers
5309 N. 34th St.
Phoenix, AZ 85018
Phone (602) 667-9753

May 24, 2005

United States Department of Commerce
United States Patent and Trademark Office
Commissioner For Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Commissioner For Patents:

The enclosed copy of a patent application was sent to the wrong party in error and I need to have it sent to me as the inventor and to the attorney that was specified as the processing attorney. We filed a notice of change of processing attorney notice but it was still sent to my old partner.

Because it was sent to the wrong party I only recently received this and I need the time frame changed so that I have enough time to respond to the office action.

I assume this doesn't happen very often but in my case, please make sure that all future correspondence goes to me, Jeff D. Myers at 5309 N. 34th St., Phoenix, AZ 85018, and I will make sure that my attorney gets a copy.

Thank you for your time.

Sincerely,



Jeff D. Myers

JDM/dkc

Enclosure

uspto.wpd